

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

February 7, 2005  
8:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Marshall, Deputy Mayor Noble, and Councilmembers Balducci, Chelminiak, Davidson, Degginger and Lee<sup>1</sup>

ABSENT: None.

1. Call to Order

The meeting was called to order at 8:05 p.m. by Mayor Marshall, who presided.

2. Roll Call, Flag Salute

Upon roll call by the City Clerk, all Councilmembers were present. Dr. Davidson led the flag salute.

3. Communications: Written and Oral

- (a) Lucinda Soha, a resident of West Lake Sammamish Parkway, commended the City's excellent public service since she moved into the community approximately one year ago. She expressed appreciation for a recent neighborhood presentation by JoAnn Jordan (Fire) and Officer Gary Felt (Police), hosted at no charge by Vasa Park Resort.
- (b) Norman Brueske, a Spiritridge resident, expressed concern regarding a proposal to build a 1,000-seat church south of Spiritridge Park. He and other residents met recently with City staff to discuss traffic congestion and parking problems in the area. He noted the City plans to provide a police officer to direct traffic during church functions.

Councilmember Balducci said she has been contacted by residents about the church proposal. Mayor Marshall asked the City Manager to provide a report on the project.

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<sup>1</sup> Mr. Lee arrived at approximately 8:10 p.m.

- (c) Barb Williams, Education Coordinator for Eastside Heritage Center, thanked Council and the City for their support of the Center. She is thrilled to have an office in the McDowell House, always one of her favorite buildings in Bellevue. She is pleased that the 1888 Fraser Cabin at Kelsey Creek Farm Park was included in the Center's contract with the Parks Department. She invited Council and the public to upcoming events at the Winters House.
  - (d) Steve Bumstead thanked Councilmembers for their ongoing work on behalf of the community. He expressed his opposition to hosting a Tent City in Bellevue.
  - (e) Tonya King, representing residents in the vicinity of Holy Cross Lutheran Church, expressed opposition to hosting Tent City at that location. She urged Council to strengthen the Temporary Use Permit process and requirements.
  - (f) Larry Barokas, representing MGRJ, explained that his clients own property between 110<sup>th</sup> and 111<sup>th</sup> Avenues, bounded by 2<sup>nd</sup> and 3<sup>rd</sup> Streets. He noted a letter from Mike Andrews (the "M" in MGRJ) expressing concern regarding the potential siting of a bus facility adjacent to the property (Site #3). Mr. Barokas urged Council to examine alternative sites, which he feels are more appropriate for a bus facility, and to remove Site 3 from consideration.
4. Reports of Community Councils, Boards and Commissions: None.
5. Report of the City Manager

Noting an unfinished item from the Study Session, City Manager Steve Sarkozy asked staff to provide an update on the Overlake Bel-Red corridor planning process.

Transportation Director Goran Sparrman explained that Microsoft has been negotiating a development agreement with the City of Redmond that would allow significant future expansion. Bellevue staff have reviewed the agreement and feel it conforms with the existing BROTS II Interlocal Agreement between Bellevue and Redmond. Mr. Sparrman noted the following planning activities for the Overlake Bel-Red area: 1) Overlake Transportation Technical Analysis, 2) Bel-Red Corridor Planning, 3) Development of BROTS III agreement, 4) Sound Transit Phase 2, and 5) Subarea and Comprehensive Plan Review/Amendments.

6. Council Business

Mayor Marshall described the need to appoint a new Arts Commissioner to replace one who is moving out of Bellevue. Mrs. Marshall recommended the appointment of Judith Holder to fill the unexpired portion of the current vacancy, which will end on May 31, 2007. She further recommended the establishment of a Commissioner-elect position, to be filled by Marlice Thurtle. This position would participate in Commission meetings, assist with committee work, and be able to fill the next vacancy as it occurs.

- Mayor Marshall moved to appoint Judith Holder to the unexpired Commission position and Marlice Thurtle as Commissioner-elect. Deputy Mayor Noble seconded the motion.
- The motion to appoint Judith Holder to the Arts Commission and Marlice Thurtle as Commissioner-elect carried by a vote of 7-0.

Dr. Davidson attended meetings of the Municipal Water Pollution Abatement Advisory Committee, WRIA 8 Forum, and Environmental Services Commission.

Ms. Balducci has been working with a group of Lake Hills residents to create a neighborhood association. She invited citizens to a neighborhood meeting on Tuesday, February 15, 6:30 p.m. at the Lake Hills Clubhouse next to the library.

Mr. Degginger announced that Cascade Water Alliance's annual meeting is scheduled for February 8.

Mr. Chelminiak said the City is preparing to acquire the Surrey Downs property.

Mr. Lee attended the Puget Sound Regional Council (PSRC) Executive Board meeting. He apologized for being late tonight and noted he came from Chinese New Year festivities.

Deputy Mayor Noble and Councilmember Balducci participated in meetings with state legislators in Olympia to discuss priorities of the Eastside Transportation Partnership and the City of Bellevue.

7. Approval of the Agenda

- Deputy Mayor Noble moved to approve the agenda, and Mr. Lee seconded the motion.
- The motion to approve the agenda carried by a vote of 7-0.

8. Consent Calendar

- Deputy Mayor Noble moved to approve the Consent Calendar, and Mr. Degginger seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
  - (a) Minutes of January 18, 2005 Study Session  
Minutes of January 18, 2005 Regular Session  
Minutes of January 24, 2005 Extended Study Session  
Minutes of January 31, 2005 Special Meeting (Executive Session)
  - (b) Motion to approve payment of claims for the period of January 15 through February 2, 2005, and payroll for the period of January 1 through January 31,

2005.

- (c) Resolution No. 7135 authorizing approval of payment for final settlement of the pending claim for property damage to the Schuster residence, in the amount of \$117,121.20, caused by an obstruction in the City's wastewater line.
- (d) New City Hall Building
  - (1) Resolution No. 7136 authorizing execution of an agreement with Engineering Economics Inc. in the amount of \$361,500 for building commissioning services for the New City Hall project.
  - (2) Resolution No. 7137 authorizing execution of an agreement with Hainline & Associates in the amount of \$350,000 for project management services for the New City Hall project.
  - (3) Resolution No. 7138 authorizing approval of design services work by Motorola Inc. under the EPSCA Interlocal Agreement for dispatch services in the amount of \$112,000 for the New City Hall 911 Communications Center project.
  - (4) Resolution No. 7139 authorizing execution of a termination agreement for the existing wireless lease with Qwest Wireless LLC in the amount of \$12,000 at the New City Hall.
- (e) Ordinance No. 5582 authorizing amendment to the Land Use Code to implement new and revised policies in the Downtown Subarea Plan of the Comprehensive Plan; expand the Major Public Open Space and make minor modifications for clarity; and amending various sections of 20.25A, Design Guidelines – Building/Sidewalk Relationships, and the Pedestrian Corridor and Major Public Open Space Design Guidelines of the Land Use Code. *(Discussed during tonight's Study Session.)*
- (f) Resolution No. 7140 authorizing execution of a lease agreement with Delta Business Park in the amount of \$70,318 for a secure storage facility for the Bellevue Police Department.
- (g) Resolution No. 7141 authorizing execution of an amendment to the existing consultant agreement with Entranco Inc. in the amount of \$140,000 to provide on-call construction inspection services for the NE 29<sup>th</sup> Place Connection project and various CIP projects identified in the CIP Plan as necessary to ensure proper construction inspection. (CIP Plan No. PW-R-60) *(Council previously approved Resolution Nos. 7034 and 7035 initiating this consultant agreement.)*
- (h) Ordinance No. 5583 establishing No Parking, Stopping or Standing, 7 a.m. to 3 p.m. Monday through Friday, on the east side of 98<sup>th</sup> Avenue NE from NE 22<sup>nd</sup>

Street to NE 24<sup>th</sup> Street and on the south side of NE 23<sup>rd</sup> Street from 98<sup>th</sup> Avenue NE to and including 9825 NE 23<sup>rd</sup> Street.

- (i) Motion to award Bid No. 0450 for construction of a new sidewalk and replacement of existing watermain on the east side of 143<sup>rd</sup> Avenue SE, from SE 16<sup>th</sup> Street to Lake Hills Boulevard, to Fury Construction in the amount of \$131,427.60 as low bidder. (CIP Plan No. NIS-1[T005])

9. Public Hearings: None.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 5584 authorizing approval of Capital Contract No. 04-99500-011 to accept funds from the State of Washington Department of Community, Trade and Economic Development in the amount of \$491,250 to amend the 2005-2011 Capital Investment Program (CIP) budget resulting in an increase in the appropriation to the CIP Fund; and to amend the project budget by increasing CIP Plan No. P-AD-58 to reflect unanticipated revenues, which will result in a \$491,250 offset in the costs associated with the expansion and renovation of the Crossroads Community Center.

Mr. Sarkozy explained that Ordinance No. 5584 accepts state funds toward the expansion and renovation of Crossroads Community Center.

☛ Deputy Mayor Noble moved to adopt Ordinance No. 5584, and Mr. Chelminiak seconded the motion.

☛ The motion to adopt Ordinance No. 5584 carried by a vote of 7-0.

- (b) Ordinance No. 5585 authorizing the creation of one on-street layover/recovery space on 106<sup>th</sup> Avenue NE just south of NE 8<sup>th</sup> Street to replace spaces lost due to the Access Downtown NE 6<sup>th</sup> Street construction. (*Item previously discussed on November 15 and December 13, 2004.*)

Mayor Marshall noted substitute Ordinance No. 5585 in Council's desk packet, which includes a definition for temporary layover space. This version of the ordinance authorizes the use of the layover space on 106<sup>th</sup> Avenue NE until February 28, 2007.

Mr. Sparrman provided a presentation regarding the proposed bus layover space on 106<sup>th</sup> Avenue NE, just south of NE 8<sup>th</sup> Street, to replace spaces lost due to the Access Downtown NE 6<sup>th</sup> Street construction. Staff will continue to work to identify a permanent solution to accommodate bus layover needs off of the public right-of-way.

Mr. Sparrman recalled staff's previous suggestion to add two bus layover zones on NE 10<sup>th</sup> Street. Staff now recommends against locating bus layover spaces on NE 10<sup>th</sup> Street. In addition to the proposed 106<sup>th</sup> Avenue NE location, a previously approved layover space on 108<sup>th</sup> Avenue NE, just north of NE 6<sup>th</sup> Street, is recommended for use. King County will pay for associated signage and minor modifications at both locations.

Responding to Mayor Marshall regarding Mr. Barokas' comments during Oral Communications, Mr. Sparrman said a decision regarding the use of Site 3 as a permanent bus facility will be made in the next few months by the King County Council and Bellevue City Council. City staff have not yet developed a recommendation regarding a permanent location.

Dr. Davidson stated his ongoing opposition to using the City's right-of-way for transit facilities.

Councilmember Lee concurred with Dr. Davidson and looks forward to the development of a long-term plan for bus layover zones. Responding to Mr. Lee, Mr. Sparrman said a temporary solution is necessary in order for Metro to continue current bus service to Bellevue.

Mr. Chelminiak said King County has committed to working with Bellevue to find a permanent solution. He thanked the Mayor and Deputy Mayor for suggesting the substitute ordinance with a specific time limit for the use of the temporary layover space.

Mr. Degginger understands Councilmembers' concerns about losing right-of-way to transit operations. However at the same time he is pleased with enhanced bus service for Bellevue.

- Deputy Mayor Noble moved to adopt substitute Ordinance No. 5585, provided in Council's desk packet. Mr. Chelminiak seconded the motion.
- The motion to adopt substitute Ordinance No. 5585 carried by a vote of 5-2, with Dr. Davidson and Mr. Lee dissenting.

12. Unfinished Business: None.

13. Continued Oral Communications

- (a) Tonya King continued her statement opposing a Tent City at Holy Cross Lutheran Church [See Agenda Item 3(e)]. She urged Council to make the Temporary Use Permit process more restrictive. She is concerned about the proximity of preschools and elementary schools.
- (b) Larry Barokas said his clients were never notified by the City but a prospective purchaser informed MGRJ about the potential siting of a bus facility adjacent to the property [See Agenda Item 3 (f)]. The owners would like the matter resolved quickly in order to complete the sale of the property.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:04 p.m., Mayor Marshall declared the meeting adjourned.

Myrna L. Basich  
City Clerk

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